

# Long-Term Joint Point



## Memorandum

Date: November 5, 1998

To: CALFED Policy Group

From: Lester A. Snow *K. Hennessey for LAS*  
Executive Director

Subject: State Board Application for Long-Term Joint Point

### Summary

The U.S. Department of the Interior is working with the state Department of Water Resources and the state Department of Fish and Game to submit a request to the State Water Resources Control Board for authority to jointly use both federal and state points of diversion from the Delta. Interior will provide an update on the progress of the State Board application for "long-term joint point."

### Action

- Information Item.

### Detailed Discussion

At its last meeting, the CALFED Policy Group heard discussion that four CALFED agencies are petitioning the State Board for broad authority to jointly use both federal and state points of diversion from the Delta. Agency staff from the U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, DFG and DWR (i.e. the agencies now appearing before the State Board) were instructed to develop a common position. Interior, DWR and DFG have submitted a request to the State Board for a reopening of evidence for Phase 6 of the Bay-Delta hearings, which relates to joint point. (As of November 2, 1998, the State Board had not yet responded to that request.)

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#### CALFED Agencies

**California** The Resources Agency  
Department of Fish and Game  
Department of Water Resources  
California Environmental Protection Agency  
State Water Resources Control Board

**Federal** Environmental Protection Agency  
Department of the Interior  
Fish and Wildlife Service  
Bureau of Reclamation  
U.S. Army Corps of Engineers

Department of Agriculture  
Natural Resources Conservation Service  
Department of Commerce  
National Marine Fisheries Service

Difficulty arose as to the nature of the unified presentation. DWR and USBR sought joint point limited only by Delta standards and biological opinions, while USFWS and DFG suggested more specific criteria. The four agencies then agreed that: (1) we lack time to develop consensus on specific joint point criteria; (2) timing of the State Board proceedings will not allow submission of CALFED's ultimate consensus on joint point; and (3) it would be best to minimize State Board delays (e.g. further hearings) of implementing the consensus joint point plan.

Based on these points, the agencies developed and agreed to a unified request. The four agencies will request that the State Board approve broad joint point authority — with the requirement that the CALFED agencies subsequently submit consensus operating criteria. The State Board staff will then have an opportunity to review the criteria and determine its consistency with the State Board's order. In any case, use of joint point will comply with Delta water quality standards and biological opinions. Each of the four agencies is preparing new written testimony to be submitted to the State Board within the next few weeks.